



STATEMENT ON THE SITUATION IN KENYA: OBSTRUCTION AND EXCESS USE OF FORCE AGAINST PEACEFUL PROTESTS

The Network of African National Human Rights Institutions (NANHRI) has been following the situation in the Republic of Kenya and is deeply concerned about the recent developments precipitated by the proposed tax bill 2024 and the resulting public unrest.

NANHRI strongly condemns the excessive use of force by the security agencies that has resulted in the death of unarmed protestors and injuries to several others and echoes the sentiments shared by the African Commission on Human and Peoples' Rights as expressed in their statement. Abductions and enforced disappearances are unacceptable practices and amount to violation of fundamental human rights and freedoms.

NANHRI calls upon the Government of Kenya to respect and uphold the rule of law by refraining from impeding civic space related to the Freedom of Assembly, demonstration, picketing, and petition. These rights are enshrined in Article 11 of the African Charter, which guarantees the right to assemble freely with others, and in Article 37 of the Constitution of Kenya, which specifies that *"Every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities."* NANHRI emphasizes the importance of respecting these fundamental rights in order to maintain a democratic and inclusive society.

It is crucial for the police to provide unwavering protection to demonstrators and uphold the highest human rights standards while maintaining public order during peaceful protests. Unfortunately, the excessive and lethal force used by the Kenyan police has been unjust and a severe violation of human rights, contrary to provisions of International Policing Standards and guidelines. This use of force has tragically led to the loss of lives of young individuals. Over 400 other individuals, including observers and journalists, have been injured amidst what were intended to be peaceful demonstrations. Additionally, there have been numerous reports of unlawful abductions and unjust detentions of young people.

NANHRI calls the Government of Kenya to restrain from using live ammunitions in order to reduce fatalities.

The government of Kenya has an obligation to provide safe environment for protestors in according with the Constitution of Kenya 2010. In addition, ensure that the missing persons are accounted for.

NANHRI commends the Kenya National Commission on Human Rights for upholding its mandate, monitoring the protests and instituting various measures urging for the utmost respect of human rights and fundamental freedoms.

NANHRI also strongly advocates for the protection of Human Rights Defenders and advocates.

NANHRI emphasizes the critical need to ensure that these individuals are not unfairly vilified, targeted or harmed for exercising their fundamental civic rights. Safeguarding their safety and well-being is paramount in support of their unwavering dedication to upholding and promoting human rights.

Finally, NANHRI wishes to urge dialogue to resolve the ongoing impasse around the proposed bill to avert a crisis that could plunge the country into chaos.

Done at Nairobi, 26th June 2024,



Joseph A. Whittal,

Chairperson of Network of African National Human Rights Institutions